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U.S. Abandons Contempt Case Against 3 Who Defied HUAC

The Justice Department has decided to abandon the contempt-of-Congress prosecution against three peace activists who refused to testify in closed session before the House Un-American Activities Committee.

In one of his last official acts as Attorney General, Nicholas deB. Katzenbach told House leaders that there was no point in asking the Supreme Court to hear the case of Dagmar Wilson and Donna Allen, two Washington leaders of Women Strike for Peace, and Russell Nixon, manager of the Guardian, a New York left-wing newspaper.

Their convictions and suspended sentences were overturned Aug. 2 by a divided United States Court of Appeals on grounds that avoided a showdown over the right of hostile HUAC witnesses to a public hearing. The Court said House Speaker John W. McCormack (D-Mass.) incorrectly disclaimed the power to review the HUAC contempt citation before transmitting it for prosecution.

Katzenbach, who was sworn in yesterday as Under Secretary of State, told McCormack and HUAC Chairman Edwin E. Willis (D-La.) that whether the appellate court decision was correct or not, the Supreme Court was unlikely to review it.

If the Court did accept the case, Katzenbach said, the result might be a ruling sharply restricting HUAC and other committee powers.